



NOTICE OF RULE MAKING – Pre-proposal #10-32

The Washington State Liquor Control Board would like your input on the attached proposed rule on the prohibition of alcohol energy drinks in the state of Washington.

This notice contains a summary of changes being proposed as well as the actual text of the proposed rule. You can provide input by submitting written comments or by participating in the public hearing (see below).

This rule making is filed with the Office of the Code Reviser in the Washington State Register number # 11-03-040.

Why is rule making necessary?

On November 10, 2010, the Washington State Liquor Control Board adopted an emergency rule prohibiting the sale, importation, and distribution of alcohol energy drinks in the State of Washington after November 17, 2010.

The emergency rule expires automatically after 120 days (March 10, 2011). The attached proposed rules are to make the prohibition on the sale, importation, and distribution of alcohol energy drinks permanent.

This notice can be found at <http://www.liq.wa.gov/laws.asp> under Proposed Rules.

Public Comment

Please forward your comments to the Liquor Control Board by mail, e-mail, or fax by February 23, 2011.

By mail: Rules Coordinator
Liquor Control Board
P.O. Box 43080
Olympia, WA 98504-3080

By e-mail:
rules@liq.wa.gov

By fax:
360-664-9689

Proposed Rules

WAC 314-20-022 Alcohol energy drinks. (1) No product that combines beer, strong beer, or malt liquor with caffeine, guarana, taurine, or other similar substances, which are commonly referred to as "alcohol energy drinks," may be imported into the state, produced, manufactured, distributed, sold or offered for sale by a licensed retailer in the state of Washington.

(2) Beer, strong beer, or malt liquor with coffee, chocolate, or other natural substances used for flavorings, are not prohibited under this section.